

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JAIRO GRULLON,

Plaintiff,

v.

ADVANCED AUTO EXPERTS OF
LAWRENCEVILLE, INC., et al.,

Defendants.

ERIC RODRIGUEZ,

Plaintiff,

v.

ADVANCED AUTO EXPERTS OF
LAWRENCEVILLE, INC., et al.,

Defendants.

ORDER TO CONSOLIDATE

CIVIL ACTION NO. 10-1678 (MLC)

CIVIL ACTION NO. 10-1680 (MLC)

IT APPEARING that Jairo Grullon brings an action to recover damages against certain defendants ("Advanced Auto Defendants") for violations of the Federal Fair Labor Standards Act and the New Jersey Wage and Hour Law ("First Action"), see No. 10-1678 (MLC), dkt. entry no. 1, Compl.; and it appearing that Eric Rodriguez (1) shares an address with Grullon, (2) is represented by Grullon's counsel, and (3) brings nearly identical claims against the Advanced Auto Defendants, although in the form of a purported class action ("Second Action"), see No. 10-1680 (MLC), dkt. entry no. 1, Compl.; and

FEDERAL RULE OF CIVIL PROCEDURE 42(a) authorizing district courts to consolidate actions involving common questions of law or fact; and it appearing that a "district court has broad discretion when determining whether consolidation is appropriate", Bor. of Olyphant v. PPL Corp., 153 Fed.Appx. 80, 82 (3d Cir. 2005); and it appearing further that the parties would not be prejudiced by the consolidation of the First Action and the Second Action, as consolidation is a matter of convenience and economy in administration, and does not merge the actions into a single claim or change the parties' rights, see Bradgate Assocs. v. Fellows, Read & Assocs., 999 F.2d 745, 750 (3d Cir. 1993); and

THE COURT thus intending to consolidate the First Action and the Second Action; and it appearing that a consolidation will ensure that the First Action and the Second Action will be overseen by the same Magistrate Judge; and it appearing that if these claims go to trial, then the claims in the First Action and the Second Action can be tried separately if necessary, even though they will be consolidated; and for good cause appearing;

IT IS THEREFORE on this 9th day of April, 2010,
ORDERED that Grullon v. Advanced Auto Experts of Lawrenceville,
Inc., No. 10-1678 (MLC) and Rodriguez v. Advanced Auto Experts of
Lawrenceville, Inc., No. 10-1680 (MLC) are **CONSOLIDATED**; and

IT IS FURTHER ORDERED that the Clerk of the Court designate
Rodriguez v. Advanced Auto Experts of Lawrenceville, Inc., No.
10-1680 (MLC) as **ADMINISTRATIVELY TERMINATED**.

____ s/ Mary L. Cooper
MARY L. COOPER
United States District Judge